

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

PAMELA JEAN SMITH,

Plaintiff,

v.

COMMISSIONER OF SOCIAL
SECURITY,

Defendant.

Case No. 2:17-cv-12888

HON. STEPHEN J. MURPHY, III

**OPINION AND ORDER ADOPTING
REPORT AND RECOMMENDATION [7] AND DISMISSING THE CASE**

The Commissioner of the Social Security Administration denied Plaintiff's application for Supplemental Security Income and Disability Insurance Benefits in a decision issued by an Administrative Law Judge ("ALJ"). The SSA Appeals Council declined to review the ruling, and Plaintiff appealed. The Court referred the matter to the magistrate judge, and the magistrate judge issued a Report and Recommendation ("Report") suggesting that the Court dismiss the action pursuant to Federal Rule of Civil Procedure 4(m).

Civil Rule 72(b) governs review of a magistrate judge's report and recommendation. De novo review of the magistrate judge's findings is required only if the parties "serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). Because neither party filed timely objections, de novo review of the Report's conclusions is not required. Having examined the record, the Court finds that the magistrate judge's conclusions are factually based and legally sound.

WHEREFORE, it is hereby **ORDERED** that the magistrate judge's Report and Recommendation [7] is **ADOPTED**.

IT IS FURTHER ORDERED that Plaintiff's complaint is **DISMISSED WITHOUT PREJUDICE**.

SO ORDERED.

s/ Stephen J. Murphy, III
STEPHEN J. MURPHY, III
United States District Judge

Dated: April 5, 2018

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on April 5, 2018, by electronic and/or ordinary mail.

s/ David Parker
Case Manager